

# **Indiana Council on Independent Living (ICOIL)**

## **Minutes**

**June 10, 2015**

**1:00-4:00 p.m.**

ICOIL Members Present – Bonnie Bomer, Peter Ciancone, Chris Cleveland, Erin Hall, Leslie Hawker, Thomas Hayes, Al Piening, and Peri Rogowski.

Guests Present - Jennifer Davis, Brenna Giddings, Stella Guzman, Dee Hart, Doug Hughes, Ranea Jackson, Greg Jinks, Melissa Madill, Jim McCormick, Lisa Oliver, Beth Quarles, Shanida Sharp-Byrnes, Richard Simers, Carole Surratt-Bradley, Al Tolbert, and Teresa Torres.

### Welcome and Call to Order

Chairperson Leslie Hawker called the meeting to order.

### Pledge of Allegiance

ICOIL Board Members and Guests recited the Pledge-of-Allegiance

### Roll Call

ICOIL Members included: Bonnie Bomer, Peter Ciancone, Chris Cleveland, Erin Hall, Leslie Hawker, Thomas Hayes, Al Piening, and Peri Rogowski.

### Approval of the Agenda

Chairperson Hawker asked for approval of the agenda. ICOIL Member Peter Ciancone made a motion to approve the agenda with the addition of: Memorandum of Understanding (MOU) for ICOIL and ICOIL, Inc. The motion was seconded and passed. Lengthy discussion followed under New Business.

Council Member Peri Rogowski asked Chairperson Hawker if she needed someone to take meeting notes. She agreed. As a result, notes were taken.

### Approval of the Minutes

A motion to approve the March 11<sup>th</sup> Minutes with the name of former council member Peter Bisbecos deleted was seconded and passed.

A motion to accept the minutes of May 13, 2015 with the document named “Minutes” instead of “Meeting Notes” was seconded and passed.

### New Council Business

New Council Members - Chairperson Hawker welcomed two new members to the meeting. They included Chris Cleveland and Erin Hall. Mr. Cleveland represents a non-profit named Ballys. They accept and restore durable medical

equipment for use by those in need. Their website is: [ballycanhelp.org](http://ballycanhelp.org) . Ms. Hall is an attorney representing the Indiana Department of Transportation.

General Comments of Chairperson – Chairperson Hawker shared that she has been doing research on ADA and that the ADA Act Anniversary is July 26<sup>th</sup>. She asked Centers for Independent Living Directors to share plans and events.

Center Director Teresa Torres shared that they will have a month long promotion on Civil Rights. The event is in cooperation with the Local Union, Newspaper, and a Photo Journalist.

Al Tolbert and his center are working on a Disability Pride Program that will include a ride and information on accessibility.

Memorandum of Understanding (MOU) for ICOIL and ICOIL, Inc. – Council member Peter Ciancone provided two (2) documents for review. It was moved and seconded to adopt the MOU between ICOIL and ICOIL, Inc.

Discussion began with Chairperson Hawker stating that the federal Rehabilitation Services Administration (RSA) came to Indiana in 2002 to complete an audit and that RSA was concerned with the autonomy of ICOIL .She also referred to a 2009 report that mentioned 501c3. Ms. Hawker stated that you can't just change a not-for-profit and that it must go to another non-profit organization.

Council Member Dr. Al Piening stated that all are appointed to ICOIL by the Governor and that it is illegal to fund an organization when members are appointed by the Governor.

Attorney Jennifer Davis was hired by ICOIL, Inc. to provide a report to the council. Council members and others discussed whether it was appropriate for Ms. Davis to provide the ICOIL, Inc. Report and also discussed their personal opinions and feelings about ICOIL and ICOIL, Inc.

Mr. Ciancone stated that it was appropriate for Ms. Davis to address the council. He then called for the question to approve the suggested agenda item to discuss approval of an MOU between ICOIL and ICOIL, Inc. Chairperson Hawker shut down discussion about the MOU and shared that she would never put her name on an organization that didn't exist. She emphasized her feelings stating "I would not sign a contract to divert federal funds to an organization that I believe was not real".

Mr. Ciancone reminded council members that there was a motion on the floor; He stated that the council had been working for two (2) decades to address such matters. He called for council members to vote on the MOU.

Some attendees asked to hear the ICOIL, Inc. Report from attorney Jennifer Davis. Another shared that ICOIL, Inc. has funds.

Ms. Rogowski shared the following statement concerning the mission of ICOIL:

*"BRS does not recognize ICOIL, the SILC and Governor appointed board, as a 501c3. BRS has not seen any documentation in past ICOIL meeting minutes that authorized a formal 501c3 action or expenditures on behalf of the SILC."*

*No federal SILC monies were utilized to pay for the establishment of the 501c3 or the annual updates. Per the SPIL, BRS contracted with a fiscal intermediary and ICOIL agreed and RSA approved. The board members of ICOIL, Inc. are not members of the SILC.”*

Mr. Ciancone summarized that the MOU would enable the funds from ICOIL, Inc. to support ICOIL in development of the State Plan. An attendee agreed and shared that this was an opportunity for ICOIL to obtain needed funds. Ms. Rogowski agreed that a fiscal agent for ICOIL is needed.

Ms. Davis shared that she was in attendance to provide information about the history and establishment of ICOIL, Inc. She stated that she brought and distributed documentation of ICOIL, Inc. as a 501c3 entity for council members.

Ms. Davis reported that state and federal officials were contacted so that ICOIL, Inc. would be recognized as a 501c3 and that they were recognized as such. In summary, Ms. Davis shared that this provides evidence that ICOIL and ICOIL, Inc. are separate. She added that ICOIL did not have 501c3 status, and that ICOIL, Inc. did have 501c3 status.

Another attendee shared that it is illegal for the state to do business with an organization that is appointed by the Governor.

In response to a question, Ms. Davis responded that officers of ICOIL, Inc. presently were: Richard Simers, Beth Quarles, and Dee Ann Hart.

Attendee Ms. Teresa Torres mentioned that documents on the Secretary of State’s Web Site pertained to the discussion and suggested to Chairperson Hawker that ICOIL needs an attorney.

A question was posed asking if both ICOIL and ICOIL, Inc. need attorneys.

Ms. Torres shared that she believes the state says you don’t need a contract, and this creates a Bi-pass, resulting in the state not letting ICOIL get any funds.

Mr. Ciancone summarized that the MOU gives the council a way to disperse funds and is an opportunity to bring in people to work with ICOIL. In summary, it’s time to move forward and dictate to ICOIL, Inc. to spend funds for ICOIL.

Dr. Piening emphasized that ICOIL and ICOIL, Inc. were two (2) separate organizations.

Mr. Ciancone addressed the council emphasizing that ICOIL has an MOU on the table - in addition to a motion and a second - and that ICOIL has had considerable discussion on the topic. All council members - with the exception of Chairperson Leslie Hawker – voted in favor of the motion. A committee will be formed to hire an Executive Director.

Leslie Hawker, ICOIL Chairperson, again said she had “no intention on signing the MOU”, as she stated, prior to the vote. She added that “At this time no one else has the authority to sign.”

ACL Visit in August – The ACL is coming to Indiana the week of August 10-15. The meeting will coincide with the August ICOIL Meeting and will include Centers for Independent Living (CIL) Directors.

Recommendations for New Council Members – Dr. Piening shared that a number of potential members were suggested and are awaiting approval by the Governor. Chairperson Hawker shared that she hopes Erik Zagorac is reappointed. Mr. Ciancone shared that after June 30<sup>th</sup> ICOIL will have only three (3) voting members. These include: Al Piening, Leslie Hawker and Jama Gonzalez.

Council members generally agreed that they need members from throughout the state, and members representing various age groups (such as youth), and members to expand diversity on the council.

Review of Goals and Objectives of the current State Plan – Mr. Ciancone stated that we need to start writing the State Plan now. Chairperson Hawker said the council would look at Goals and Objectives in July and stated that groups from all over the state need to work together on the document.

Training for ICOIL Members – Chairperson Hawker wants to provide information to new council members and others. IPASS has a training book about transition for youth. The National Council on Independent Living (NCIL) should also be able to provide training.

A Seminar/Webinar will provide training on June 23<sup>rd</sup>. Peter Ciancone stated that The Will Center will register and pay the registration fee so that their site can offer the training. Chairperson Hawker and others were welcomed by Mr. Ciancone to attend the event at The Will Center.

Name Recognition of IL, SILC, and CIL – Council members generally agreed to address name recognition of IL, SILC, and CIL at a later date.

NCIL Conference – Chairperson Hawker expressed her desire to attend this conference. Ms. Rogowski will check with the appropriate state and federal entities on using ICOIL funds to send individuals to the conference. No other council members indicated that they were able to attend.

### Organizing Planning Groups for New State Plan

Chairperson Hawker suggested that the council cancel the July meeting and instead focus on an August meeting. Dr. Piening disagreed and stated “we are way behind” and need to meet in July. Mr. Ciancone shared that some states have quarterly meetings and that the council may want to consider this option.

In summary, the council would have time to train, bring in speakers, and run the council - if a decision were made to change ICOIL Meetings from meeting monthly to meeting quarterly.

Mr. Ciancone reminded the council that after June 30<sup>th</sup> the council would have only three (3) voting members.

### Update & Report from the Designated State Unit (DSU)

DSU Representative Ms. Peri Rogowski shared the following with the council: Bureau Director Kylee Hope and staff are preparing to roll out the Employee Services Model; New service agreements were sent out; The Bureau received many comments pertaining to the Rule at the Hearing; The Bureau must respond to each comment before the Rule is finalized; ACL is coming to Indiana

the week of August 10-15. The meeting with ACL will coincide with the August ICOIL Meeting and will include Centers for Independent Living (CIL) Directors.

It was suggested to bring Kelly Buckland in for the August ICOIL Meeting with ACL. Ms. Rogowski asked that a request be provided to her in writing.

Ms. Rogowski will work with Chairperson Hawker to discuss alternatives to conducting ICOIL Education Meetings and CIL Director Meetings prior to ICOIL meetings.

### Updates, Reports, Comments

Secretary/Treasurer Report – Secretary/Treasurer Erik Zagorac was not in attendance. Ms. Rogowski sends the financial reports to Erik for his report to the council. Unfortunately, Mr. Zagorac was not able to attend the meeting today.

Update: Centers for Independent Living – CIL summaries were provided by CIL Directors Teresa Torres and Al Tolbert earlier in the meeting. CIL Director and Council Member Peter Ciancone shared that The Will Center is collaborating and preparing for an event scheduled in July.

Public Comments – CIL Director Teresa Torres stated that she wants to add her correspondence to the minutes. In summary, this may include a notice from her attorney concerning conflict-of-interest and a grievance. She stated that a council member proposed and wants to cover some of the same counties that her CIL covers and that she was told that her CIL couldn't add counties. She stated that she has waited a year to receive a response.

Chairperson Hawker suggested meeting with Ms. Rogowski, and Ms. Torres to discuss concerns expressed by Ms. Torres.

In closing, Ms. Hawker stated “we need to be a fully functioning council” and “start moving forward”.

### Adjournment

It was moved and seconded to adjourn the meeting. The motion passed.

**Please note:** The next ICOIL Board Meeting is scheduled for Wed, August 12, 2015 from 1:00-4:00. Individuals needing disability accommodations should contact Chairperson Leslie L Hawker at 812-564-0074 or email her at [wheelsh@aol.com](mailto:wheelsh@aol.com). Every effort will be made to accommodate anyone wishing to be a part of our meeting. At least 48-hour notice would be appreciated. Meetings will be live streamed at <http://webinar.isl.in.gov/icol/>.

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